THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 16332 of 2005

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Dated: 31.08.2005

Between:

P.Sivabhushan Prasad S/o. P. Seshagiri Rao
R/o. Ajit Apartments Balaiah Sastry Layout
Visakhapatnam.

..... PETITIONER

AND

The Commissioner Endowments Department
Remote Hyderabad and others.

….. **RESPONDENTS**

ORDER:

This writ petition is filed questioning the action of the respondents in not allowing the petitioner to execute the sale deed in respect of the land admeasuring Ac.0.22 cents in S.No.294/2 situated at Adivivaram village, Chinagadila Mandal, Visakhapatnam District, in favour of third parties and transmit the same for regularization as per G.O.Ms.No.31 Revenue (Endowments.IV) dated 08.01.2004.

The learned counsel for the petitioner contended that the petitioner is a General Power of Attorney holder of S. Ravanamma and the legal heirs of Suryanarayana in respect of the land in question and that as per the General Power of Attorney, he is entitled to execute sale deed in favour of third parties. The Government of Andhra Pradesh has issued guidelines for regularization of lands situated at Adivivaram and other places under G.O.Ms.No. 31 Revenue (Endowments.IV) dated 08.01.2004.

Even though the said G.O., is applicable to the land in question, the respondents are not allowing the petitioner to execute the sale deed in favour of third parties. Hence this writ petition.

The learned Standing Counsel appearing for the second respondent contended that the land in question belong to the Sri Varaha Lakshmi Narasimha Swamy Temple as per the ryotwari patta issued by the competent authority, which is not under challenge. Further more, the order passed by the Mandal Revenue Officer, on 14.08.1996 in A.I.A.C.No.2 of 1996 has become final, and therefore, the question of giving permission to the petitioner to execute the sale deed as per the General Power of Attorney as alleged in the petition does not arise and further more, the petitioner is seeking to execute the sale deed and to transmit the same for regularization as per G.O.Ms.No. 31 dated 08.01.2004, but it was superseded by G.O.Ms.No. 235 dated 03.03.2005. As the G.O. No.31, under which the petitioner is seeking regularization, was superseded by G.O.Ms.No. 235 dated 03.03.2005, the writ petition is devoid of merits and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

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31.08.2005

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